THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 7367 of 1997

DATED: 31-01-2007

Between:

Mahamad Ali

...Petitioner.

and

The Branch Manager, State Bank of India, Jagtial, Karimnagar and another.

...Respondents.

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION No. 7367 of 1997

ORDER:

Heard the learned counsel for the petitioner and Sri K. Srinivasa Murthy, learned counsel for the respondents.

Petitioner claims to have worked temporarily in intermittent spells in the State Bank of India Branch at Jagtial during 1988 to 1991 and also during 1993 to 1997. The respondent-Bank evolved a scheme for regularization/absorption of former temporary employees. The petitioner made a representation for the said benefit. He was issued a call letter dated 08.07.1992 calling him to appear for interview on 24.07.1992. He was interviewed on 24.07.1992. He claims that his name was included in the select list. Others in the select list were employed on absorption, but not he. Hence, the writ petition.

The 2nd respondent has filed a counter-affidavit. The counter-affidavit states that the petitioner worked on temporary basis in leave vacancies during the 1980s. His employment was casual in nature and conferred no rights nor expectations of regular employment. Pursuant to the settlement with the All India State Bank of India Staff Federation in 1991, a scheme was evolved for permanent absorption of certain categories of casual employment. Petitioner applied, was called for and interviewed on 24.07.1992. The interview was for the purpose of wait-listing the candidates and arranging them in seniority on the basis of the number of days they had worked as daily

wagers. According to the settlement, all the daily wagers engaged at any time during the period from 01.07.1975 to 14.08.1991 are eligible to be considered and empanelled for absorption for vacancies arising upto 31.03.1997. The petitioner is not eligible as per the eligibility criteria for permanent employment. When his case was considered, it was found that he was over-aged even at the time of his initial engagement on casual basis. The petitioner was aged 26 years 5 months 14 days on the date of his initial engagement on 15.09.1988. Thus, even on 15.09.1988, the date of his initial engagement, he was ineligible for regular employment. In the circumstances, his case could not be considered for absorption.

No rebuttal is offered by the petitioner to the above averments in the counter-affidavit.

In view of the uncontested stand of the respondents that the petitioner is ineligible for regular employment on absorption, no case is made out for grant of relief.

There are no merits. The writ petition is accordingly dismissed. No costs.

(GODA RAGHURAM, J)

31st January, 2007.
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